



NATIONAL LIBRARY OF MEDICINE

Washington



Founded 1836

U. S. Department of Health, Education, and Welfare

Public Health Service

Hygiene
THE
By-Laws and Orders

OF THE

TOWN OF BOSTON,

Passed at a legal Town-Meeting, *May 22, 1801* ;
and duly approved by the Court of Sessions :

TOGETHER WITH

THE RULES AND REGULATIONS

OF THE

BOARD OF HEALTH.

ALSO,

Sundry LAWS of the Commonwealth

RELATING TO TOWN AFFAIRS.

B O S T O N :

Printed by MANNING & LORING, No. 2, Cornhill.

1801.



BY-LAWS, &c.

LAW to prevent Nuisances in the Streets.

No person to dig or break up the streets.

IT is hereby ordered, That no person shall break or dig up the stones or the ground in any of the streets, lanes, alleys or other public highways or places in this town, for the laying or repairing of any drain, or for or upon any occasion whatever, without the leave or license of the Selectmen, in writing, signed by them, or some person authorized by them for that purpose, first had and obtained, on pain of forfeiting *Four Dollars* for every offence.

And whosoever shall, by virtue of such leave or license, or otherwise, break up the pavement, or dig or cause to be broken up or dug any part of the pavement, or any of the ground in any street, lane, alley, or other public highway or place in this town, shall, within such time as the Selectmen shall grant or order, after the same is broken or dug up, cause the same to be sufficiently repaired and amended to the satisfaction of the Selectmen, on pain of forfeiting the sum of *Four Dollars*, and also the sum of *Four Dollars* for each and every week, until the same, by him, her or them, or by his, her, or their order, and at his, her or their cost and expense, be properly and duly amended and repaired as aforesaid.

Fences to drains and openings in streets required.

And it is further ordered, That when any drain shall be opened or laid, and the dirt or rubbish therefrom shall be laid in any street, lane, alley or other public highway or place in this town, the person or persons opening or laying the same, shall cause a rail or other sufficient fence to be so fixed as to inclose such drain, and the dirt and rubbish thrown into the street as aforesaid; and such fence shall be continued during the whole time such drain shall be open or be laying or cleansing. And a lighted lantern or other good light shall be fixed to some part of such fence, or to a pole, or some other proper elevation over such open drain, and the dirt accruing therefrom, from the dusk in the evening and shall be continued lighted until midnight, every evening or night during the whole time such drain shall lay open, or be laying or repairing; under the penalty that the person or persons, at whose cost, or by whose direction, the same shall be opened, laid or repaired, shall forfeit and pay the sum of *Four Dollars* for any and every neglect herein.

Restrictions on persons erecting or repairing buildings.

And it is hereby ordered, That when and as often as any person or persons shall mean and intend to erect any building upon his, her or their land abutting upon any of the streets, lanes, alleys, or other public highways or places in this town, or mean or intend to repair any building so abutting, the Selectmen, by themselves or by any person empowered by them, may set off or aliot, which they are hereby directed and empowered to do, such part or portion of the street or other public highway or place adjoining thereto, as they in their discretion shall think necessary and sufficient for the purpose, observing nevertheless to do the same with as small detriment

as possible, and so as to leave in all parts, where it can be done, sufficient room for all carts and carriages to pass notwithstanding. And the part or portion set off or so allotted shall be used for laying all the materials for any such building or repairing, and for receiving the rubbish arising therefrom. And all the rubbish arising therefrom or thereby shall be fully and entirely removed and carried away, at the expense of the person or persons so building or repairing, and which shall be done in such convenient time as such Selectmen shall, for that purpose, limit and appoint. And whoever shall offend, either in laying any materials, for the purposes aforesaid, or either of them, in any of the streets or other public highways or places in this town, or in neglecting to remove such rubbish, shall severally and respectively forfeit and pay, for every particular and respective offence, the sum of *Four Dollars* respectively, and also *Four Dollars* weekly for every week any such materials or rubbish shall remain or be permitted to continue beyond the time by such Selectmen allowed and appointed for removing the same.

And to the intent that all the streets and other highways, and public places in the town may be kept hereafter as clean and free from dirt and filth as possible ;

It is hereby ordered, That no person shall hereafter carry, cart or throw, or cause to be carried, carted or thrown, into any of the streets, lanes, alleys or other public places in this town, any dust, dirt, dung, stool, garbage, carrion, shreds, shavings, filth, soil, oyster shells or rubbish (other than in manner directed from time to time by the Selectmen, or the Board of Health) or any offals, or any kind of thing made and accumulated, or being in any of their respective houses, out-houses, barns, stables, shops or yards,

yards, or in any of the dependencies thereof, or appurtenances thereto, any or either of them, upon pain of forfeiting and paying for every offence the sum of *One Dollar*. And in case any person or persons so offending, shall refuse or neglect to remove such matter or thing before enumerated, in 12 hours after notice given to him, her or them so to remove the same, the said person or persons shall be subject to a new penalty of *Two Dollars* for every such offence.

Snow and ice not to be heaped in the streets.

It is hereby ordered, That no person or persons whatever, hereafter shall carry, cart, throw or lay, or cause to be carried, carted, thrown or laid, any large body or bodies of ice, or any pile or heap of snow, in any of the streets, lanes or alleys of this town; but wherever the same is or shall be carried out from any yard or other place respectively, he, she or they carrying the same, or causing the same to be so carried out, shall break or cause to be broken into small pieces, and evenly spread upon the street, lane or alley respectively, all such ice; and in like manner shall spread or cause to be spread, all such snow carried out as aforesaid; and every person offending herein, shall forfeit and pay the sum of *Two Dollars* for every offence.

Oystermen regulated.

And it is hereby further ordered, That no oysterman shall hereafter throw, cast or lay any oyster shells in any of the streets, lanes, alleys or other public places in this town, under the penalty of forfeiting and paying the sum of *Two Dollars* for every breach of this order. But when he shall open any oysters in any street, lane, alley or other public place in this town, every such oysterman shall put the shells into his bag, wheelbarrow or other vehicle, and carry them

them to such place or places in this town, as the Selectmen shall appoint for laying and piling up oyster shells, which they are hereby directed to appoint and appropriate for that purpose.

Wood not to be left in the streets.

It is hereby ordered, That no person or persons shall suffer or permit any cord wood or other fire wood, by him, her or them purchased, contracted for or ordered, unnecessarily to be, lay or remain in any of the streets, lanes, alleys or other public places or highways in this town, after dark in the evening, under the penalty of *Three Dollars* for each offence. Nor shall any greater quantity than two loads of such wood be permitted on any pretence to lay or continue in any street, lane or other public highway or place in this town after dark, *and then* not without a sufficient light kept or placed over or near the same until twelve o'clock at night, so as to give sufficient notice to all the inhabitants, and thereby prevent injury to all persons passing and repassing, under the penalty that the proprietor or person to whom such wood shall belong, shall forfeit and pay the sum of *One Dollar* for each load so placed. Nor shall any such person or persons suffer or permit any such wood, at any time, by day or by night, to lay or remain in any street, lane, alley or other public highway or place in this town, so as to shut up or unnecessarily obstruct the same, under the penalty of *Two Dollars* for every offence.

LAW

LAW to regulate the Conduct of Persons in the Streets.

Foot-ball, throwing of stones and snow-balls forbidden.

IT is hereby ordered, That whosoever shall, at any time hereafter, use the exercise of playing or kicking of foot-ball, or shall be guilty of throwing of stones or snow-balls, within any of the streets, lanes or alleys of this town, shall forfeit and pay the sum of *Fifty Cents* for every offence, to be paid by each offender respectively ; which fine or penalty shall be paid, where any offender herein shall happen to be under age, by the parent or guardian of any such offender.

Gaming forbidden.

And it is further ordered, That no person or persons shall presume to game or play, for any money or other thing, at any sort of game, with dice, cards, paw-paws, coppers, cents or half-pence, or with any other coin or thing whatever, in any of the streets, lanes, alleys, or in any of the market places, or on any of the wharves of this town, on pain of forfeiting for each and every offence the sum of *Fifty Cents*.

Firing of guns forbidden.

It is hereby ordered, That no person shall fire or discharge any gun or pistol from any top of any house, or in any of the streets, wharves, lanes, alleys, yards, pastures, gardens or other inclosures, or from the commons or hills in any part of this town, loaded with ball or shot, or powder only, unless in the just and legal defence of himself, some one or more of his family, or of his or her goods or property, unlawfully attacked, or attempted to be injured, taken
away

away or destroyed, under pain of forfeiting and paying the sum of *Two Dollars* for every offence.

Fire-works forbidden.

It is hereby ordered, That no person or persons shall throw or set on fire any squibs, serpents, rockets or other fire-works, within any of the streets, lanes or alleys of this town, or upon or from any house within the same, or on any wharf, without leave first obtained from the Selectmen; under the penalty of *Four Dollars* for every offence.

LAW to prevent Brick and Lime-Kilns, &c.

IT is hereby ordered, That no person or persons from henceforth shall erect, make or fire, or cause to be erected, made or fired, within any part of this town, any Brick-kiln, or Lime-kiln, or any furnace for the melting of iron or other metals; but in such places as the Firewards shall, by their license, in writing, allow and approve of for such purpose, on pain of forfeiting and paying the sum of *Five Dollars* for each and every week the same shall continue.

And no cooper or coopers in this town, shall fi or burn any cask in any shop, ware-house or other place, than in a sufficient brick or stone chimney, made convenient for that use, on pain of forfeiting and paying the sum of *Two Dollars* for every offence.

Fire not to be made in the open air.

It is hereby ordered, That whosoever shall kindle or make any fire, open or abroad, within two rods of any
B wooden

wooden house, ware-house, wood pile, or any other combustible matter subject to take fire (except in ship-carpenter's building-yards, and set work cooper's works, a careful person standing by to watch the same) shall forfeit and pay the sum of *Two Dollars* for every offence.

Provided also, That this order shall not be understood, or intended, to debar or hinder any tradesman or others, from kindling charcoal in a pot or pan out of doors, nigh their house or shop, at any time during the day-light only, and provided also that some careful person stand by to watch the same while it shall be continued in the open air.

Fire on board vessels. Restriction.

It is hereby ordered, That every master of any vessel, lying at or near to any wharf, on board of which fire shall be kept burning after 9 o'clock at night, or be kindled before 5 in the morning, shall forfeit and pay the sum of *One Dollar* for every offence.

LAW to prevent Nuisances on the Common, &c.

It is hereby ordered, That no person shall hereafter break, dig up or carry away any of the sward, gravel, sand, turf or earth in or from any part of the Common, or common lands of this town, unless by order of the Selectmen, for the purpose of some public use, on pain of forfeiting the sum of *Four Dollars* for every offence.

And no person shall lop, peal, girdle, deface or destroy any of the trees growing, or hereafter to grow, or which hereafter shall be planted in the Common, or common lands, or in any street or public place, by order of the Selectmen, or by their approbation, under the penalty of *Five Dollars* for every offence herein.

And no person shall lay, cart or spread any dead carcass, ordure, filth, stones or rubbish upon any part of the Common, or common lands of this town, unless it be the dust and dirt of the town collected by the Scavengers, or by those whom the Selectmen or Board of Health may or shall contract with for collecting the dust and dirt from the houses, yards and public streets, lanes and alleys of the town, under the penalty of *Three Dollars* for every offence herein.

And no horse, ox, steer, heifer, sheep, goat, calf or swine shall be suffered to go at large or feed upon the Common, or common lands or public places in this town, on any pretence whatever, under the penalty that the owner or owners thereof respectively shall forfeit and pay for each of such creatures the sum of *One Dollar* for every offence herein; nor shall any such be permitted to go at large in any of the streets within the neck of Boston, except such as are under the immediate care of some person, and driving to market; on pain that the owner or owners thereof shall forfeit and pay the sum of *One Dollar* for every horse, ox, steer, heifer, sheep, goat, calf or swine that shall be found going at large or feeding as aforesaid.

LAW for the Regulation of Chimneys and Sweepers.

Chimneys defective, to be viewed, &c.

IT is hereby ordered, That the Selectmen, upon complaint made to them, or otherwise upon their own knowledge of any defective chimney or other fire place within this town, from time to time shall take effectual care to have the same inspected and examined, and shall order the same to be speedily amended and repaired (if the same can be properly done) or otherwise to be taken down and demolished. But if the owner or owners of such chimney or fire place, after an order from the Selectmen in writing, or a copy of such order for that purpose, duly certified by the Town Clerk, or by any person impowered by the Selectmen, and served upon him, her or them, shall wilfully neglect to amend or take down the same; then and in such case, the owner or owners of any such chimney or fire place shall forfeit and pay the sum of *Five Dollars*, and the like sum of *Five Dollars* for every after offence of the same kind; and the Selectmen for the time being shall have full and legal power and authority to order and direct, and they are hereby required to cause, the same chimney or fire place to be taken down and abated as a common nuisance. And the owner or owners of such chimney or fire place in such case shall exonerate, bear, pay and satisfy the whole expense and charge of abating such nuisance, in removing and taking down all and every such chimney and fire place.

Sweepers to be licensed.

It is ordered, and the Selectmen are hereby directed and impowered, to appoint or license, from time to time, suitable persons to be sweepers of chimneys
in

in this town, who, and whose several apprentices, shall wear proper badges, to be appointed by the Selectmen, and whose wages, for their work and service in chimney sweeping, shall not exceed the rates, from time to time to be fixed and appointed by the Selectmen.

And if any person, who shall not be so appointed or licensed as aforesaid, shall presume, either by himself or herself, or by his or her servant, to undertake the sweeping of any chimney in this town, except such as are under his or her own improvement, every such person shall forfeit and pay the sum of *Three Dollars* for every chimney so improperly and unduly swept.

And if any inhabitant of this town shall employ any person (excepting his or her own servant, living in his or her own house) to sweep any of his, or her chimney or chimneys, in this town, other than one of such chimney sweepers so licensed by the Selectmen as aforesaid, every such inhabitant, so offending, shall forfeit and pay not less than the sum of *Two Dollars*, nor more than *Four Dollars*.

Chimneys to be regularly and seasonably swept.

It is ordered, That if any chimney shall take fire through foulness, for want of being regularly swept, and shall blaze out at the top, the occupier of the house to which such chimney shall belong, shall forfeit and pay the sum of *Two Dollars*, unless it shall happen within *thirty* days after such chimney shall have been swept; in which case, the person who last swept the same shall forfeit and pay the like sum of *Two Dollars*, provided, such fire shall be occasioned through foulness or any defect in sweeping the same.

And

And upon complaint made to any of the Selectmen, either by the chimney sweepers or any of them, or by any other of the inhabitants of this town, against any person or persons neglecting to have their chimney or chimneys swept, the same being foul, in every such case the Selectmen, or any person empowered by them, are hereby directed to inspect and view, or order to be inspected and viewed, and to them reported, every such chimney complained of as aforesaid. And if upon such view and inspection and report, they, or the person so empowered by them, shall judge the same to be unsafe or dangerous to make and keep fire therein, by reason that the same is or are foul and want sweeping, and shall signify the same to the person or persons then in possession of the tenement to which such chimney or chimneys belong; then, and in every such case, the occupier or occupiers of every such house or tenement shall forfeit and pay the sum of *One Dollar* for every day in which fire shall be made or kept thereafter in any such chimney respectively, until the same shall be sufficiently swept.

LAW to regulate Trucks, Carts, Sleds, &c.

It is hereby ordered, That no person shall use or drive, or cause to be used or driven, any truck or trucks whose sides shall exceed in length 24 feet, from the end of the shaft to the extreme end of the side, under the penalty of forfeiting and paying *Five Dollars* for every offence.

No person shall carry in his, her or their cart, truck, sled or drag, at one and the same time, through any of the streets, lanes or alleys of this town,
any

any load exceeding one ton in weight, except the same may be any one single article not proper to be separated (as one cable, one anchor) on pain of forfeiting and paying the sum of *Two Dollars*.

And no person shall carry on his truck or cart, at one and the same time, more than four feet of cord wood or fire wood, through any of the streets, lanes or alleys of this town, except split or dry pine, from the first day of March to the first day of June, under the penalty of forfeiting and paying the sum of *Two Dollars*.

And every truck, cart or sled belonging to any inhabitant of the town, shall be marked with the initials of the Christian, and the whole of the surname of the owner or owners of the same, strongly and legibly in paint, upon a plate of tin or iron, and also numbered in the same manner; which plate so marked and numbered shall be secured and fastened to the near shaft of every truck, and to some conspicuous part of every cart and sled; so as to be clearly visible and discernible to the eyes of all passing and repassing the streets during the day light (such marks and numbers to be regulated by the Selectmen) under the penalty that every owner or owners of any such truck, cart or sled, used or employed in any part of this town, without being so marked and numbered, shall forfeit and pay the sum of *Two Dollars* for every time such truck, cart or sled shall be used or employed in any part of this town.

And the tire of every wheel of every cart or trucks used in this town, which shall be drawn by more than one horse, shall be of the breadth of four inches, or as near as may be, and the nails of the tire of all such wheels shall be flat, on pain that the owner of every cart or truck, having wheels whose tire shall

shall be of less breadth, or having the nails otherwise than as aforesaid, shall forfeit and pay the sum of *Two Dollars* for every week that any such cart or truck, with wheels otherwise tired or nailed, shall be used or worked in this town.

And no more than two horses shall be permitted to be harnessed to or draw any truck, cart, sled or drag in or through any part or parts of this town, unless for the carriage of any one single article exceeding one ton in weight, and which cannot be divided, under the penalty of forfeiting and paying *Two Dollars* for each and every offence.

Provided nevertheless, That the Selectmen or Officer of Police, upon special application, may have liberty to allow of more than two horses to draw any cart or sled.

And the fellics of the wheels of every drag machine used in this town after the 1st day of September next, for carting timber, that shall exceed one ton in weight, shall be eight inches in width at the least, and tired as directed for trucks and carts, and under the like forfeiture and penalty.

LAW to regulate the Stands of Carts, Trucks, and Sleds.

IT is hereby ordered, That the Selectmen be authorized and empowered, from time to time, as occasion may require, to appoint such and so many stands for all kinds of carts, trucks, sleds and wheelbarrows, as to them shall appear requisite; to some one or other of which stands all drivers of such carts, trucks and sleds shall repair with their carriages
and

and horses, when unemployed in the day. And any driver or owner of a cart, truck, sled or wheelbarrow, who shall stand in any other place than such as shall be directed by the Selectmen, shall forfeit and pay for every offence *One Dollar*.

Each and every owner or driver of a cart, truck or sled shall place his horses and cart or truck lengthways, close to the posts or abutting stone of the footwalk of the street in which he shall stand, under the penalty of *One Dollar* for every neglect.

And no more than one range of carts or trucks shall stand in streets not more than 30 feet wide, and not more than one range on each side in streets which are of a greater width than 30 feet; and in squares and other large open places they shall be arranged by order, and conform to the directions of the Selectmen or Surveyors of highways; and every driver neglecting to conform to this law shall forfeit and pay *One Dollar* for every offence.

If any waggoner, carter, truckman, or other driver of any carriage, sled or sleigh, for pleasure or burthen, shall stop or place any such carriage, sled or sleigh in any such manner as to cross the street or foot path, or prevent other carriages or foot passengers from passing in the direction of such street, and shall not, after the request of any passenger, cause the same to be removed, or shall be absent therefrom, so that such request cannot be made, every person so offending shall forfeit and pay for every offence *One Dollar*.

LAW for the Regulation of the Drivers of Horses and Carriages.

IT is hereby ordered, That all and every the driver or drivers of all and every carriage, whether of burthen or pleasure, driving and passing through the streets, lanes and alleys of this town, where there is room sufficient for two to pass, shall keep on that side of the street, lane or alley on his or their right hands respectively in the passing direction.

And if any driver of any such carriage shall drive his said carriage in the middle of the street, or on the side of the carriage way on his left hand, so as to obstruct or prevent another carriage from passing as aforesaid ; every driver so offending shall forfeit and pay for every such offence, the sum of *One Dollar*.

Provided always nevertheless, That nothing in this law shall be construed to extend to, or have any operation against, any person or persons crossing with his, her or their carriage or carriages from one side of the street to the other side of the same, for the purpose of selling, buying or unloading, or on any other necessary or reasonable occasion.

And it is hereby ordered, That no person whatsoever shall sit or stand in or upon any carriage, or on any beast harnessed thereto, in order to drive the same, unless he shall have strong reins or lines fastened to the bridles of his beasts, and held in his hands, sufficient to guide them in manner as aforesaid, and restrain them from running, galloping or going at immoderate rates, through the said streets, lanes or alleys.

And

And no person whatsoever driving any such carriage or riding upon any horse, mare or gelding, in or through the said streets, &c. shall suffer the beast or beasts he shall so drive or ride to go in a gallop so as to endanger persons standing or walking in the streets, lanes or alleys.

And all carters and other persons having the care of any waggon, cart, truck, sled or drag passing through or in the streets of said town, shall drive their beast or beasts at a moderate foot pace, and shall not suffer them to go in a gallop or trot ; and if any such driver shall not hold reins in his hands to guide and restrain his beasts as in manner aforesaid, he shall walk by the head of the shaft or wheel horse, holding, or within reach of the bridle or halter of the said horse, in order to guide and restrain them in manner aforesaid ; and every person wilfully or negligently offending in any or either of the cases aforesaid, shall forfeit and pay, for every such offence, a sum not less than *Two Dollars*, nor more than *Five Dollars*.

And no coach, chariot, sleigh, chaise, sled or other carriage belonging to any inhabitant of this town, shall go or be driven through any part of the town, during any time or times that the snow shall be upon or cover the streets, without carrying or having some bell or bells fastened to the horse or horses drawing the same, or to some part of such carriage ; that due and timely notice may be given to the inhabitants, of such carriage coming on, under the penalty of *Two Dollars* for every offence.

And if any person shall wilfully permit or suffer any horse, mare or gelding, to go at large through the streets, lanes or alleys of this town, or any part thereof ;

thereof; every person so offending shall forfeit and pay for every offence *One Dollar*.

Driving on the Lord's day.

And whereas great dangers and disturbances arise from chariots, chaises and other carriages on the Lord's day, as the inhabitants are going to, or returning from, the several houses of public worship in this town, and also while they are assembled in them for public worship, being driven with great rapidity;

Therefore it is ordered, That no chariot, chaise or other carriage, shall at such times be driven at a greater rate than a walk, or moderate foot pace, on penalty of *Two Dollars* for each offence, to be paid by the person driving, or if he be a servant, and unable to pay the same, by the master or mistress of such servant.

And no horse, mare or gelding, shall hereafter be rode, drove, or led into the Common, or to any pond or any part of the sea, or to any other usual *public* place for washing or watering on the Lord's day; on pain that the rider, driver or leader thereof shall forfeit and pay the sum of *Two Dollars* for every offence.

LAW relating to Bulls and Cows.

Passed March 23, 1789.

It is hereby ordered, That the Selectmen shall cause two or more *Bulls* to be provided, which shall be placed, and be permitted to go at large upon the Common, from the first day of April to the first day of

of

of November, and one or more from the first day of November to the first day of April, yearly and every year.

It is hereby ordered, That whosoever shall keep any cow or cows going at large within the neck of Boston, shall pay into the hands of such person or persons as the Selectmen shall from time to time appoint to receive the same, a sum not exceeding *One Dollar* per annum for each cow, for the purpose of keeping two or more bulls, to go at large on the Common, from the first day of April to the first day of November, and one or more from the first day of November to the first day of April following, as the Selectmen shall order from year to year, for paying the bull-keeper, or person or persons that shall be appointed by the Selectmen to receive said money. And the Selectmen are hereby impowered and directed, every year hereafter, in the month of March, to appoint some person or persons to receive said sum, not exceeding *One Dollar*, whose name or names, shall be published in the news-papers; and every person having any cow or cows shall pay to the person or persons so appointed, some time in the month of April or May yearly, the sum so assessed by the Selectmen, and the person or persons so appointed are hereby directed to give a certificate to the owner of each cow, shewing that they have paid the sum so assessed.

And if any person or persons shall have any cow or cows which they shall keep in their pastures or enclosures, and do not suffer them to go at large on the Common, he or they shall pay a sum not exceeding *Fifty Cents* towards the bulls; and if any cow or cows shall be found going on the Common, whose owner has not paid the sums as assessed by the Selectmen,

men, and obtained a certificate of having so done, such owner shall forfeit and pay the sum of *Two Dollars*.

LAW to regulate Funerals.

It is ordered, That no person or persons shall presume to break up the ground in any of the public burying grounds in this town, for the purpose of making or building a tomb therein, without the license of the Selectmen, or the majority of them, for that purpose first had and obtained in writing and signed by them, and also first registered by the Town-Clerk, under the penalty of forfeiting and paying the sum of *Five Dollars*.

And it is ordered, That the Selectmen be impowered from time to time to form and adopt such regulations for the position, digging and covering of graves in the public burying places in this town, as to them shall appear proper and necessary; and all sextons, grave diggers and other persons are required to conform to such regulations, under the penalty of forfeiting and paying the sum of *Two Dollars* for every neglect or offence herein.

Funeral Porters.

It is ordered, That the Selectmen do license and appoint a proper number of funeral porters, whose wages or allowance for their attendance and labour the Selectmen shall order, limit and appoint. And if any person whatsoever, unless so licensed and appointed, shall presume to act as a funeral porter, or shall demand and receive any pay or wages for attending

tending at any funeral in this town, or in carrying the corpse of any dead person to the grave or to be buried, or, if so licensed and appointed as aforesaid, shall demand or take any greater hire, fare or wages for his attendance and labour at any funeral than shall be allowed, limited or rated by the Selectmen for that purpose; then, and in each and every of such cases, the person offending therein respectively shall forfeit and pay the sum of *Four Dollars*.

And no inhabitant of this town shall employ any funeral porter, other than such as shall be so licensed by the Selectmen; nor shall any inhabitant pay any greater sum or wages to any funeral porter for his attending or assisting at any funeral, than shall be fixed or rated by the Selectmen for that purpose, under the penalty of forfeiting and paying the sum of *Four Dollars* for each offence herein.

And the Selectmen shall regulate and fix the price or rate of hire of all *palls* hereafter to be used at all funerals in this town, and the price or rate of hire of all biers, hearses or other carriage used for the conveyance of any dead body to any place of interment.

Funerals regulated.

And it is ordered, That no one shall bury the body of any dead person without making the same public, by causing a first and second tolling of the bell of one of the public places of worship in this town, on pain of forfeiting the sum of *Three Dollars*.

One bell only, or at most not more than two bells, shall be tolled for one funeral, the first tolling of which shall not be continued longer than ten minutes,

utes, and the second or last tolling of which shall not continue longer than thirty minutes.

And in tolling the bells for funerals, not more than two strokes of the bell shall be made in one minute, on pain of forfeiting *Two Dollars*, by the person or persons tolling each of such bells ; and if tolled faster or longer than is hereby directed, by the order or direction of any other person than him or them tolling the same, then and in such case, the person or persons so ordering or directing the same shall also forfeit and pay the like sum of *Two Dollars*.

Provided nevertheless, That in time of contagious sickness or of unusual mortality, the Selectmen may permit the bodies of the dead to be interred without the tolling of any bells ; and also that from respect to distinguished public characters, the Selectmen may allow more bells, than are above directed, to be tolled at their funerals.

And no corpse or dead body shall be buried on the Lord's day without license from a Justice of the Peace for that purpose obtained, according to law.

LAW to regulate Necessaries.

Cellars, Tan-Pits, Vaults and Wells to be inclosed or covered.

IT is hereby ordered, That no person or persons shall suffer their yards, orchards, pastures, or other lands to lay open, where there is a well, cellar, tan-pit, or vault of a privy or other pit uncovered, on pain of forfeiting the sum of *Two Dollars* for every offence, and *Five Dollars* for every week after notice from

from the Selectmen, or any person impowered by them, until their fence be sufficiently repaired or amended, or such well, pit, vault, or cellar be fitted up or covered.

Necessaries regulated.

It is hereby ordered, That no person or persons shall hereafter erect or set up, or cause to be erected or set up, any necessary, or privy, in this town (or suffer any such to continue, being already erected, set up or standing) within forty feet of any street, lane, alley or other highway in this town, or within the like distance of the dwelling house, shop, or well of any of his, her or their neighbour or neighbours, unless the same be vaulted six feet deep, and sufficiently inclosed or otherwise well secured, under the penalty that the owner or landlord of every tenement to which the same shall belong, shall forfeit and pay the sum of *Three Dollars*, and also the sum of *Five Dollars* for every month the same shall continue and so remain.

And no vault of a necessary or privy shall be dug so as to communicate with any common sewer, or with any drain leading to a common sewer, unless the said common sewer shall have been built for the express purpose of receiving the filth from such vaults, and shall not be connected with the cellar of any house. And no vault of a necessary or privy shall hereafter be dug within two feet of the line of any lot, under the penalty that the person or persons offending against either of the above restrictions, shall forfeit and pay *Five Dollars*, and also *Five Dollars* for every month the same shall continue or remain.

LAW to regulate Pumps and Wells.

Pumps belonging to the Town, for keeping them in repair.

IT is hereby ordered, That every householder, or others, who are commonly known to make use of any of the pumps, wells or cisterns, standing or being in any of the ground, streets or highways belonging to the town, for their supply of water, for their ordinary occasions, every such person shall allow and pay unto such person whom the Selectmen shall appoint to receive the same, such proportionable sum or sums of money, as the Selectmen for the time being, shall assess him or her to pay, for the keeping such pump, well or cistern in repair, and to be employed to the said use; on pain that every such person who shall neglect or refuse the payment thereof, for the space of six days after the same is demanded, shall forfeit and pay double the value of said sum.

Pumps belonging to the Inhabitants, for keeping them in repair.

It is hereby ordered, That all the pumps belonging to the inhabitants of this town, shall be kept in constant good order and sufficient repair at all times, ready to deliver water for extinguishing any fire that may happen in this town. And whosoever shall permit the pump or pumps of any of his, her or their house or houses, tenement or tenements, to be out of order, and so to remain for the space of ten days together, shall forfeit and pay the sum of *Four Dollars*. And further, if any such person or persons shall obstinately refuse or neglect to put his, her or their pump or pumps in good order and proper repair, after having so incurred and forfeited such

such penalty of *Four Dollars* as aforesaid, every such person so refusing or neglecting shall be deemed to have incurred a fresh offence every week after, and shall as and for a new offence, forfeit and pay *Four Dollars*, for every such week that the same shall be permitted to continue out of order or repair as aforesaid.

And it is hereby ordered, That the officer or officers of Police shall visit and inspect, or cause to be visited and inspected all the pumps belonging to the town, or to any inhabitant or inhabitants of the town, four times in the year, once in each quarter of the year. On the first days of March, June, September and December, to the intent that a thorough information may be obtained of the state thereof, and the regular and speedy repair of the same.

LAW to regulate common Criers.

IT is hereby ordered, That no person whatever presume to be a common crier, or to cry any sort of goods, wares or merchandize, lost or found, or stolen goods, strays, public sales, &c. within any of the streets, lanes, alleys or market place or places of this town, on penalty of *Two Dollars* for every offence; except only such person or persons as shall be licensed by the Selectmen; and every person so licensed, shall keep a true and perfect list of all matters and things by him so cried, and the names of the persons that ordered him to cry the same, which list shall be open and subject to the inspection of the Selectmen whenever they shall demand the same; and if any crier or criers, shall cry any abusive, profane or obscene matter, he shall forfeit and pay

pay not less than *Two Dollars*, or be discharged from his place or office, according to the aggravation of the offence; and the person that ordered the crying thereof shall pay a fine of *Five Dollars*.

LAW, laying Restrictions on Cows and Dogs.

IT is hereby ordered, That if any person shall keep or entertain any cow, dog or bitch, and suffer the same to go at large within this town, and upon complaint made unto the Selectmen, by any of the neighbourhood, that such cow, dog or dogs are offensive to them, doing damage to their gardens, orchards, pastures or otherwise, and the Selectmen, or any person empowered by them, ordering and notifying such owner or keeper of such cow, dog or dogs, to shut up, or otherwise discharge the town of the same, during such time as they shall limit; every such owner, keeper or entertainer of such cows or dogs neglecting to attend the order as aforesaid, shall forfeit and pay the sum of *Two Dollars* for every cow, dog or bitch so kept or entertained by them, contrary to the intent and meaning of this order.

LAW to prohibit forestalling and engrossing of Provisions.

IT is hereby ordered, That no huckster or other person whatsoever dwelling or residing within this town, shall, by himself or others, buy, contract or bargain

bargain for any sort of grain, meal, butter, fowls, mutton, veal, pork, eggs, or any other sort of provision, while it is bringing from the entrance of the town, by any avenue, to the market place, unless for his or her own family use or consumption, before two of the clock in the afternoon, on penalty of forfeiting and paying *Five Dollars* for every such offence; and further, that no butcher shall buy or bargain for any dead meat brought, or bringing into this town, or afterwards expose such meat for sale, on penalty of forfeiting and paying the sum of *Five Dollars* for every offence.

And to the intent to discourage, as far as may be, the injurious practice, too frequent among butchers and others of forestalling the market, by buying up in the country and on the road to town, poultry and other provisions, in order to sell and utter them again at advanced prices;

It is hereby further ordered, That every person offending herein, and convicted of the same, shall never hereafter be permitted to hire or hold any stand in the market place in this town. And all persons having the least regard to justice and to the poor inhabitants of this town, are requested to give information against every such offender to the Selectmen, that he or she may be brought to condign punishment, and for which offence the Selectmen are hereby directed vigorously to prosecute every offender, at the court or courts proper to try the same.

LAW to regulate the Delivery and Carriage of Manure.

IT is hereby ordered, That no dung or other manure, that shall in future be sold, given, or otherwise disposed of, in this town, shall be delivered from any stable, or other place, in any larger quantities at one time, than in loads of one ton each; nor shall any greater quantity than one ton of manure be carted through the streets, lanes, or alleys of this town, in any waggon, cart or sled, unless at times when the streets shall be covered with snow. And any and every inhabitant, who shall deliver any manure contrary to this law, or shall assist in loading any waggon, cart or sled with a greater load than is hereby directed, shall forfeit and pay *One Dollar* for every offence.

LAW, making several general Regulations.

Town Lands, how to be leased.

IT is hereby ordered, That from henceforth the Selectmen for the time being, shall have power and liberty to lease out to rent, any of the town's lands or buildings, that are or shall be to be rented, for any term of years not exceeding seven years, and no longer, without a special vote of the town for a longer time.

And in the leasing of any of the town's lands or estates in future, the Selectmen shall give, or cause full notice to be given, that the same are to be let,
by

by publishing an advertisement for that purpose in two of the Boston weekly newspapers for three weeks successively.

Town Work, how to be engaged for.

It is hereby ordered, That in all work hereafter to be undertaken or executed for the town, as well as for all materials to be used therein, and where the same may amount to the sum of *Two Hundred Dollars*, for the space of three weeks previous to the actual engaging in any such work, the Selectmen shall cause an advertisement to be successively published in two of the public newspapers printed in this town, informing of the nature and quantity of materials wanted, and specifying the work wanted to be done, requesting all persons who may be willing to supply such materials and perform such work, to send in their proposals, in writing, sealed up, and directed to the Selectmen, who shall agree with and employ the person or persons offering to supply such materials, and to perform or execute such work, upon the best and most reasonable terms, who shall appear to be fully competent thereto in the opinion of the Selectmen, whereby all pretence to favour or undue influence in these particulars will be removed.

Money Matters.

It is hereby ordered, That for the future, no matter relative to the raising, paying or apportioning any money shall be re-considered, in town-meeting, by any less number of voters than were present at the former consideration of the same. And in order to ascertain the numbers rightly,

It is ordered, That when any money matter shall or may be first considered and voted upon in any town-

town-meeting, the Town-Clerk shall count the numbers of voters, and shall make a proper minute or memorandum thereof; and, as soon after as the same can be done conveniently, shall enter the same truly on the town books, that the same may be ready to be referred to, as occasion may require.

Fines appropriated.

It is hereby ordered, That all and every the fine and fines for any breach or breaches of these town orders or by-laws, upon conviction of the offender or offenders, before any court proper to try the same, shall go, one moiety thereof, to and for the use of the person or persons who shall prosecute for the same, and the other moiety thereof to the use of the town, for the purpose of defraying any incidental charges of the police.

LAW respecting Officers appointed by the Selectmen.

Clerk of the Market.

IT is hereby ordered, That the Selectmen shall annually, in the month of March, elect and appoint one or more suitable and discreet persons to be clerk or clerks of the markets, whose duty it shall be to preserve order in the market, and to carry into effect the regulations that may, from time to time, be adopted for the government thereof. And the Selectmen are hereby directed and empowered to allow to such person or persons so chosen by them, a reasonable compensation for their services, to be paid out of the sums that may be received as rent for the stalls.

Hay-Weigher.

Hay-Weigher.

It is hereby ordered, That the Selectmen shall annually in the month of March, elect and appoint one suitable and discreet person to have the care and conduct of the hay-engine or scales ; whose duty it shall be to weigh all hay brought for sale into the market, and any other articles offered to be weighed ; and for the complete execution of his duty, he shall conform to such rules and regulations as shall from time to time be adopted by the Selectmen, and shall receive such compensation as the Selectmen shall judge and determine to be right and reasonable, to be paid out of the sums that may be received as fees for weighing hay and other articles.

And in case of proof of misbehaviour or incapacity in either of the above officers, the Selectmen are hereby impowered to remove the same, and to fill any vacancy that may happen from death, resignation, or removal.

Officers of Police.

And to the end that the by-laws of the town, and the laws of the Commonwealth, which especially relate to the good order and government of this town, may be carried into effect with energy and promptness,

It is hereby ordered, That the Selectmen, or the major part of them, shall annually in the month of March, elect one suitable person to superintend the police of this town ; whose duty it shall be, to pass through the streets, lanes, and other highways of the town, taking such rounds, that in a reasonable time he shall visit all parts of the town, to observe all nuisances, obstructions and impediments therein, in order that they may be removed, and the authors thereof
E prosecuted ;

prosecuted ; to notice all offences committed against the laws and orders in being, and the names of the offenders, in order that prosecution may be commenced, and obedience enforced thereto ; to aid the clerks of the markets in the execution of their duty ; to attend daily at some stated hour, in some central and public office, for the purpose of receiving all complaints that may be made, by any of the inhabitants, against any breach of the laws.

And the said officer shall keep a minute of his proceedings, which shall be always ready for the inspection of the Selectmen ; he shall also keep an account of all fines which may be received by him, and which, by law, may accrue to the use of the town, to be appropriated as the Selectmen may direct.

And the Selectmen are hereby authorized to appoint, from time to time, such and so many assistants to the superintendent, as the business of the office may be found from experience to require, and shall allow to all and every of these officers, which by this order they are empowered to appoint, such compensation as to them shall appear just and reasonable.

AT a meeting of the Freeholders and other Inhabitants of the Town of BOSTON, duly qualified to act and vote in Town affairs, being legally warned and assembled at Faneuil Hall, on the 22d day of May, 1801 ;

The foregoing Laws were read : and some amendments being made, they were separately voted to be accepted, as by the corrected copies on file.

Attest, WILLIAM COOPER, Town Clerk.

SUFFOLK, ss.

AT a Court of General Sessions of the Peace, begun and held at Boston in and for said County, on Monday the 3d day of August, in the year of our Lord 1801, by adjournment, the foregoing By-Laws, voted by the Town of Boston, together with the vote of the said Town of the 22d day of May, in the same year, repealing all other By-Laws of the said Town, being read and duly considered, the Court approve of each and every of them.

EDWARD JACKSON, *Clerk.*

RULES AND REGULATIONS

OF THE

BOARD OF HEALTH.

1. **N**O hogsties or hogs shall be kept within the town without a license from the Board of Health, and except they stand over the water in such manner that the filth will be completely carried off by the ebbing and flowing of the tide.

2. No person shall be permitted to bring, sell or have in his possession within the town, any oysters, from and after the first day of June until the first day of September following, in each year.

3. No fresh fish shall be sold or kept in any stall, fish-box, or other house within the town, except such stall, fish-box or other house stands over the salt water.

4. No fresh fish shall be brought between the channel and the shore, or within the town, unless their throats have been cut, the blood cleanly washed off, and the gills and entrails taken out and thrown away—salmon, eels, live and small fish excepted: nor shall any fresh fish remain on board any vessel, stall, fish-box or other place for a longer space than twelve hours without being salted.

5. No person shall be allowed to sell any salmon, eels, or small fish within the town, without having a tight vessel, sufficiently large to hold the skins, heads and other offals of the said fish, and they shall put the

the same therein as collected and made, and after cause them to be thrown either into the channel, or otherwise carried out of town, before they become putrid or offensive.

6. No seller of fish shall scale any fish on the land within the limits of the town, or throw the heads of fish on any wharf or into the streets, lanes or alleys of the same.

7. All persons having stalls in Fanueil Hall, Market-House, the Market or Dock-Square, shall be obliged once in every day to wash and cleanse their respective stalls: and from and after the first day of July and until the first day of October next following, in each year, no heads or offals of dead creatures or vegetables of any kind shall be suffered to remain over night in either of the above places.

8. No feather or other beds, bedding or cloathing, arriving from any place where a contagious disorder prevails, or hath lately prevailed, shall be landed within the town from any vessel, boat or craft (though said vessel, boat or craft may not have been directed to perform quarantine) without permission in writing from the Board of Health.

9. No owner or keeper of a livery or other stable within the town, shall have more than two cart loads of dung at one time, proceeding from his said stable, from the first day of May, until the first day of November then next following, in each year.

10. All graves for the interment of the dead shall be at least six feet deep, and the proprietors of the several churches within the town under which dead bodies are or may be deposited, shall cause at least three bushels of lime to be flacked under each of them

them once every fourteen days, from the first day of June, until the first day of October next following, in each year.

11. No person shall throw any dead animals or vegetable substances or the sweepings of vessels' holes into any of the docks, Mill Pond, bottom of the Common, or harbour within the channel and the shore, or land the same on any of the wharves within the town.

12. No person shall open or clean any vaults of privies within the town, without permission in writing from the Board of Health, from and after the first day of May, until the first day of November the next following in each year, but whenever and as often as the contents of any privy is within eighteen inches of the surface of the earth, they shall directly apply to the Board for a license to empty the same, under such restrictions and regulations as they may direct, and empty the same accordingly.

13. No waste water shall be suffered to run upon the surface of the streets from any house, building, or yard abutting on a street in which there is a common sewer, but the same shall be led therein by the owners of the buildings.

14. Neither the proprietors of the mill-pond, their agents, tenants, any person employed by or under them, or any other person whomsoever, shall at any time after the fifteenth day of June, and until the first of October next following, in any year, draw off the waters of the said pond, in such manner as to cause the surface on the shoalest part to be dry, without a license therefor from the Board of Health.

15. No feathers shall be landed within the limits of the town of Boston, before the same have been
examined

examined by some person authorized for that purpose by the Board of Health, and a certificate obtained from him, that in his opinion the said feathers are free from infection, and may be landed without danger to the health of the inhabitants of the town; nor shall any hawkers or dealers in feathers expose for sale in the streets any feathers before the same have been in like manner examined, and a similar certificate obtained.

16. No person shall throw into any street, lane or alley, within the town, any dirt, filth, animal substances or sweepings of any kind, except on the days the scavengers of the wards pass through with their carts, when they shall bring the same together with the sweepings and filth necessarily made in their yards, into the streets, before the hours of 9 o'clock, A. M. for the purpose of being carried away by the scavenger; and any of the inhabitants refusing or neglecting to collect and bring out their dirt, for the purpose as aforesaid, will be considered as violating the rules and regulations of the Board of Health; and in case any scavenger neglects to carry away said sweepings and filth, it is required of the inhabitants to whom such neglect is made, to enter on the same day a complaint against such scavenger, to the Board of Health.

LAWS of the Commonwealth

RELATING TO

TOWN AFFAIRS.

An ACT for employing and providing for the Poor of the Town of Boston.

Passed 1735.—Ratified and confirmed January 10, 1789.

WHEREAS the town of Boston is grown considerably populous, and the idle and poor much increased among them, and the laws now in force relating to them, not so suitable to the circumstances of the said town, which are different from those of the other towns in the province, Therefore,

Be it enacted by His Excellency the Governor, Council, and Representatives, in General Court assembled, and by the authority of the same, That from henceforth at the anniversary town meeting in March, for the choice of town officers, the town of Boston are, and shall be hereby impowered to choose twelve overseers of the poor, who shall be chosen for twelve several wards respectively, into which the said town is or shall be divided, each overseer to have the more especial care of his particular ward, yet so as not to exclude the authority of any other overseer as there may be occasion; which overseers shall visit their respective wards, whensoever they may judge there is occasion, at least once in every month; and shall also once in every month assemble together to consider

sider and determine of the most proper methods for the discharge of their office.

And whereas the poor of the said town may upon the decay of trade become still more numerous, and want means to employ and set themselves to work in any settled or constant manner, or by ill habits become idle and slothful and very burthensome to the town :

Be it enacted by the authority aforesaid, That in such case, or whenever the said town of Boston shall, at a legal town meeting for that purpose duly warned, judge it necessary or convenient to erect, provide or endow an house for the reception and employment of the idle and poor of the said town, they the said town are, and hereby shall be authorized and impowered so to do ; which house shall be under the regulation of the overseers of the poor, to be annually chosen as aforesaid ; and erected, provided for, continued or discontinued, as the said town shall find or judge their circumstances require : And the said town are hereby authorized to make purchases and receive donations for endowing the said work-house, to the value of *three thousand pounds* per annum ; and to sue and be sued in all affairs of said house ; the several donations to be always applied according to the will of the donors.

And be it further enacted, That the overseers of the poor of the town of Boston, for the time being, shall have the inspection, ordering and government of the said house, with power of appointing a master or masters, and one or more assistants for the more immediate care and oversight of the persons received into or employed in said house : which overseers at their monthly meetings shall have power to make orders and by-laws for the better and more decent
F regulating

regulating the said house ; which orders shall be binding till the next town meeting, to which they shall exhibit them, and when approved by the said town at a legal meeting, shall be obligatory, until revoked by the said town.

And be it enacted by the authority aforesaid, That each one of the overseers aforesaid shall have power to send any idle and indigent person or persons to the said house, for entertainment and employment for the space of twenty-four hours ; and any two of the said overseers shall have power to continue or send to said house such person or persons, till discharged by the major part of said overseers at a monthly meeting : which person or persons the master or masters and assistants are hereby required to receive and employ accordingly.

And whereas there are sometimes persons rated to the public taxes, who are notwithstanding unable or negligent to provide necessaries for the subsistence and support of their children :

Be it enacted, That the overseers shall have the same power of binding out into good families, the children of such, as where the parents are rated nothing ; provided such persons are not rated for their personal estate or faculty.

And forasmuch as there is great negligence in sundry persons as to the instructing and educating their children, to the great scandal of the Christian name, and of dangerous consequence to the rising generation :

Be it further enacted, That where persons bring up their children in such gross ignorance, that they do not know, or are not able to distinguish the alphabet

phabet or twenty-four letters at the age of six years, in such case the overseers of the poor are hereby impowered and directed to put or bind out into good families, such children, for a decent and Christian education, as when parents are indigent and rated nothing to the public taxes : unless the children are judged incapable, through some inevitable infirmity.

And inasmuch as the division of the town of *Boston* into twelve wards, and assignation of each ward to the more immediate care of a particular overseer, will give the aforesaid overseers opportunity of a more exact knowledge of the town, and all intruders into it :

Be it enacted by the authority aforesaid, That the aforesaid overseers of the poor in the town of *Boston*, be and they hereby are impowered to warn any and all intruders, or others, who are not inhabitants, to depart the town ; and in case of refusal or neglect, to proceed in the same manner, and with as full power, as the Selectmen of said town, by law, may or can : And the constables are hereby required to observe and yield ready obedience to the orders and directions of the overseers aforesaid, by virtue and in consequence of this Act.

An ACT in Addition to the several Acts now in force, which respect the carting and transporting Gun-Powder, through the Streets of the Town of *Boston*, and the Storage thereof in the same Town.

WHEREAS the provisions in the said Acts made, have been found insufficient to prevent the carting and transporting gun-powder, through

through the streets of the said town, in a dangerous and alarming mode :

1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That from and after the first day of August next, no gun-powder shall be carried or transported to or from the magazine, within the said town, or through any of the streets thereof, in any quantity, exceeding twenty-five pounds, being the quantity allowed by law to be kept in shops for sale, unless the same be carried and transported in a waggon or carriage, closely covered with leather or canvass, and without iron on any part thereof, to be first approbated by the Firewards of said town, and marked in capitals, with the words, *Approved Powder Carriage*, under the penalty of forfeiting all such gun-powder, one moiety thereof to the use of the poor of the said town, and the other moiety to the use of him or them who shall inform and sue for the same.*

2. *And be it further enacted by the authority aforesaid, That all gun-powder, which shall be imported into the said town of Boston, from and after the said first day of August, shall be landed at such place or places only, and be carried to the magazine aforesaid, by such passage by land or water only, as shall be directed and pointed out by the Firewards of the said town, under the penalty of forfeiting to the uses aforesaid, all such powder as shall be landed or conveyed otherwise than is in this act provided : The penalties and forfeitures aforesaid, to be sued for and recovered by bill, plaint or information, in any court proper to try the same ; and the Firewards aforesaid are hereby directed, from time to time, to publish their regulations and orders respecting the same, in three of the public newspapers in the said town, six weeks successively : *Provided nevertheless, That nothing**

ing in this Act shall be construed to extend, or operate as a prohibition to the transporting of powder, from and out of the magazine, in the town of *Boston*, into any part of this Commonwealth, or from the powder mills, in the country, to the magazine aforesaid, in such carts or carriages, as hath been customary, and heretofore used.

[Passed *June 26, 1792.*]

Extract of an "Act in Addition to the several Acts already made for the prudent Storage of Gun-Powder within the Town of Boston."

"**W**HEREAS the depositing of loaded arms in the houses of the town of Boston is dangerous to the lives of those who are disposed to exert themselves when a fire happens to break out in the said town :

"Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That if any person shall take into any dwelling-house, stable, barn, out-house, warehouse, store, shop, or other building, within the town of Boston, any cannon, swivel, mortar, howitzer, or cohorn, or fire-arm, loaded with, or having gun-powder in the same, or shall receive into any dwelling-house, stable, barn, out-house, warehouse, shop, or other building, within the said town, any bomb, granade, or other iron shell, charged with, or having gun-powder in the same, such person shall forfeit and pay the sum of Ten Pounds, to be recovered at the suit of the Firewards of the said town in an action of debt, before any court proper to try the same ;

same ; one moiety thereof to the use of the said Firewards, and the other moiety to the support of the poor of the town of Boston."

[Passed March 1, 1783.]

An ACT to secure the Town of Boston from Damage by Fire.

1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That every meeting-house, school-house, and every other public building, and every distil-house, brewery, malt house, or livery stable, which shall be erected in the town of Boston, from and after the first day of September next, shall have the external walls of the same, except so much as may be necessary for doors and windows, composed entirely of brick or stone, and the roof thereof covered entirely with slate, tile, or some incombustible composition, and the eaves and gutters effectually secured against fire.*

2. *And be it further enacted, That all dwelling-houses and all other buildings, more than fourteen feet high, from the ground to the highest point of the roof thereof, which shall be erected in said town, after the first day of September next, shall have one of the largest sides thereof, or any two sides or ends if equal to one of the largest sides, composed entirely of brick or stone, except so much as may be necessary for doors and windows ; and the roofs of said dwelling houses and buildings shall be entirely covered with slate, tile, or some incombustible composition, and the eaves and gutters secured as before directed. And no brick or stone wall shall be deemed sufficient within*

within the meaning of this Act, unless the same shall be at least twelve inches thick in the lower story, and eight inches thick above the lower story, and the partition walls of all double houses, or other buildings, shall be built entirely of brick or stone, of at least the thickness last mentioned, and shall rise in battlements, at least three feet above the roof: And all additions which shall be made to buildings already erected, and all buildings which shall be erected on old foundations, in part or in whole, shall be deemed and considered within the restrictions and regulations of this Act. *Provided however,* That upon any wharf, marsh or other place, where no sufficient foundation can be obtained without unreasonable expense, on permission of the Firewards of said town, or any nine of them, in writing, wooden buildings of not more than two stories high may be erected, which shall be covered on all sides with slate, tile or lime mortar, and the roofs, eaves and gutters shall be secured as before directed.

3. *And be it further enacted,* That every person who shall erect or add to, or cause to be erected or added to, any building in said town of *Boston*, contrary to the true intent and meaning, and against the provisions of this Act, shall forfeit and pay a fine, not less than *Fifty Dollars*, nor more than *Five Hundred Dollars*, according to the nature and aggravation of the offence, to be recovered by information in the Supreme Judicial Court, in the County of *Suffolk*, which it shall be the duty of the Attorney-General to file, in all cases which may come to his knowledge, or by indictment before said court.

4. *And be it further enacted,* That in addition to the fines above mentioned, there shall be laid and assessed upon every house, or other building, which shall be erected contrary to the provisions of this Act,
the

the sum of *Fifty Dollars* annually, and every year, until a brick or stone wall shall be erected, of the dimensions above provided, and until the same shall be effectually secured against fire, according to the provisions of this Act. And it shall be the duty of the Firewards of the said town of *Boston*, to return to the Assessors of said town annually, a list of all such houses or other buildings, erected against the provisions of this Act, together with attested copies of the record of the conviction of the person or persons who erected the same, before the said Judicial Court, and thereupon it shall be the duty of the said Assessors, to assess upon the owner or owners of such building or buildings for the time being, the said sum of *Fifty Dollars*, in addition to his, her or their other taxes, which shall be recovered in the same way and manner as other taxes are or shall be collected, and the same remedy is hereby given to the Collector or Collectors of taxes for the recovery thereof. *Provided nevertheless*, That no such building or buildings shall be subjected to such annual tax, until an attested copy of said conviction shall have been duly recorded in the office of the Register of Deeds for the county of *Suffolk*, whose duty it shall be to receive and record the same.

5. *And be it further enacted*, That every tar kettle which shall be made use of in said town for the purpose of boiling tar, for the use of any rope-walk, shall be so fixed as to prevent all communication whatsoever between the tar and the fire, and that the fire-place under every such kettle shall be constructed with an arch built over the same, and secured by an iron door, in such manner as to inclose the fire therein.

6. *And be it further enacted*, That every person who shall carry any fire through the streets, lanes,
or

or on any wharves, in said town, except in some covered vessel, or shall smoke, or have in his or her possession, any lighted pipe or segar, in any street, lane or passage way, or on any wharf in said town, shall forfeit and pay for each and every offence the sum of *Two Dollars*, to be recovered of the person so offending, or his parent, guardian, master or mistress, before any Justice of the Peace of the county of *Suffolk*, upon complaint made upon oath.

7. *And be it further enacted*, That if any person shall have in his or her possession, in any rope-walk within said town, any fire, lighted pipe or segar, candle or lamp, he shall forfeit and pay for each offence a sum not exceeding *One Hundred Dollars*, nor less than *Five Dollars*, to be recovered in any court proper to try the same.

8. *And be it further enacted*, That it shall be the duty of each and every Fireward in the town of *Boston*, and they and each of them are hereby required to inquire after, and give information to the Attorney-General, of all offences, which may be committed against the true intent and meaning of this Act, cognizable before the Supreme Judicial Court, or Court of General Sessions of the Peace; and to some Justice of the Peace, for all offences committed against this Act, and cognizable by a Justice of the Peace.

9. *And be it further enacted*, That the Act, entitled, "An Act to secure the town of *Boston* from damage by fire," be and the same is hereby repealed, from and after the said first day of *September* next, excepting that such parts thereof as may be necessary to recover all fines and penalties incurred upon the Act aforesaid, shall still remain in full force.

10. *And*

10. *And be it further enacted*, That all the fines, penalties and assessments, which shall be recovered by force of this Act, shall accrue and enure one half to the use of the poor of the town of *Boston*, to be paid to the Overseers thereof, and the other half to the Firewards of said town.

[Passed *June 27*, 1798.]

An ACT to prevent Damage from Fire being communicated from Chocolate-Mills and Machines for roasting Cocoa, in the Town of Boston.

WHEREAS chocolate-mills and machines for roasting cocoa, have been erected in the town of Boston, near to other buildings, to the great hazard of the lives and property of the inhabitants of the said town :

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That if any person, from and after the fifth day of July next, shall, within the said town, roast or cause to be roasted any cocoa, for the purpose of manufacturing the same into chocolate, in any building whatever, excepting such as may or shall be licensed for that purpose by the major part of the Selectmen of the town aforesaid, and two Justices of the Peace for the county of Suffolk, *quorum unus*, he shall forfeit and pay, for every such offence, a sum not exceeding *One Hundred* nor less than *Fifty Pounds*.

[Passed *June 30*, 1785.]

Extract

Extract from an “ Act for the Extinguishment of Fire, and to direct the Proceedings thereat.”

“ *BE it further enacted*, That if any person shall occupy or improve any tenement or building whatever, in any part of any maritime town in this Commonwealth, for the business or employment of a sail-maker or rigger, or keeper of a livery stable, except only in such parts of the town as the Selectmen thereof, or a major part of them, shall direct and determine, such sail-maker or rigger so offending, shall forfeit and pay for each offence, *Ten Dollars*; and such keeper of a livery stable shall forfeit and pay for each offence *Fifty Dollars*, for every month so occupying the same, and so in proportion for a longer or shorter time.”

[Passed *March 10, 1797.*]

Extract from an “ Act for keeping Watches and Wards in Towns, and for preventing Disorders in Streets and public Places.”

“ *BE it further enacted*, That if any three or more persons, being any or all of them armed with sticks, clubs, or any kind of weapons, or being in any manner disguised, shall assemble together, having any imagery or pageantry as a public shew, in any of the streets or lanes in any town or district in this Commonwealth, or if any person or persons of or belonging to any company, having any kind of imagery or pageantry for a public shew, shall, by menaces or otherwise, exact, require, demand or ask
any

any money, or other thing of value, from any person in the streets, lanes or houses, in any such town or district, every person being of or assembled with such company, shall, for each offence, forfeit and pay *Eight Dollars*, or be imprisoned not exceeding one month.

“ *Be it further enacted*, That if any persons, to the number of three or more, between sun-rising and sun-setting, being assembled together in any of the streets or lanes, in any town or district, shall have any kind of imagery or pageantry for a public shew, although none of the company so assembled shall be armed or disguised, or exact, demand or ask any money or other thing of value, every person being of such company, shall forfeit and pay the sum of *Eight Dollars*, or be imprisoned not exceeding one month.

“ *Be it further enacted*, That if any person or persons shall set fire to any pile or combustible stuff, or be anyways concerned in causing or making a bonfire, in any street or lane, or any other part of any town or district within this Commonwealth, such bonfire being within ten rods of any house or building, every person so offending, shall, for each offence, forfeit and pay the sum of *Eight Dollars*, or be imprisoned not exceeding one month.”

[Passed March 10, 1797.]

An

An ACT in addition to the several Acts made to prevent Damage by Fire, in the Town of Boston.

Passed in 1762.—Made perpetual in 1797.

WHEREAS great damage has arisen from fire which has begun in bake-houses, and spread to the buildings adjacent :

Be it enacted by the Governor, Council, and House of Representatives, That from and after the publication of this Act, it shall not be lawful for any person to occupy or improve any tenement or building whatsoever, in any part of the town of Boston, for the business or employment of baking of bread for sale, other than such as are now occupied and improved for that use, unless in such parts of the town as the Justices of the Peace and Selectmen of the said town, or the major part of both, shall determine convenient, such determination to be certified under their hands : And if any person shall offend against this Act, he shall forfeit and pay the sum of *Forty Pounds* for every six months, and so in proportion for a greater or lesser time he shall so occupy or improve any tenement or building, that shall not be licensed or allowed as aforesaid, other than such as are now occupied for that use, one half thereof to be paid for the use of the poor of the town of Boston, the other half to him or them that shall inform and sue for the same, to be recovered before the Court of General Sessions of the Peace for the county of Suffolk.

An

An ACT for regulating Lamps already set up, or that may hereafter be set up, for enlightening the Streets, Lanes, Alleys or Passage Ways, in the Town of Boston, and to prevent the breaking or otherwise damnifying the same ; and also establishing the Method for paying the Expenses that may arise in supporting and maintaining said Lamps.

Passed in 1773.—Made perpetual in 1797.

WHEREAS the enlightening of streets, lanes, alleys and passage ways in large and populous towns, by lamps hung up in the night time, is not only ornamental, but very advantageous to all such persons as have occasion to pass in and through the same about their lawful business, and tend greatly for the safety and preservation of the inhabitants, by the discovery and prevention of fires, burglaries, robberies, thefts and other lesser breaches of the Peace :

Be it therefore enacted by the Governor, Council, and House of Representatives, That from and after the publication of this Act, it shall and may be lawful for the Selectmen of the town of Boston, for the time being, or a major part of them, or such persons as they shall think fit to appoint for that purpose under them, to set up and affix such and so many lamps, and in such streets, lanes, alleys and passage ways in said town, for enlightening the same, as the town, or such persons as they may appoint, shall in their judgment think necessary and for the common benefit. And the better to preserve and regulate such lamps, said Selectmen are hereby empowered to
 appoint

appoint and contract with any meet person or persons for the lightening, cleaning, snuffing and repairing the same, and give such directions from time to time relative to said lamps, and lighting and regulating the same, as they shall think best.

And whereas many of the inhabitants of the said town of Boston have, by a generous subscription, raised a sum of money sufficient for purchasing such a number of lamps as will be necessary for illuminating the streets, &c. in that metropolis; and as the destroying or breaking the same will not only be injurious to the encouragers of so laudable a design, but to the public in general :

Be it therefore further enacted, That if at any time after the publication of this Act, any person or persons shall and do wilfully and maliciously break, throw down, or extinguish any lamp that is or shall be hung or set up to light the streets, lanes, alleys or passage ways within said town of Boston, either by said town, or by any private inhabitant, or shall wilfully or maliciously damage the post, iron or other furniture thereof, every person so offending therein, and being thereof convicted by the lawful testimony of one or more witness or witnesses, in any of his Majesty's Courts of General Sessions of the Peace, to be thereafter held within and for the county of Suffolk, who are hereby empowered to hear and determine the offence, shall forfeit and pay the sum of *Twenty Pounds*, for each lamp so broken or damaged, and the like sum for each post, or the iron or other furniture so broken or damaged, and costs of prosecution. And if any person or persons shall accidentally or undesignedly break, throw down, or otherwise damage any post, iron or furniture of such lamp, he shall pay so much as, in the judgment of

the

the Selectmen of said town for the time being, shall fully repair the damage done, into the hands of the Selectmen, or to such person as they may appoint to receive the same: And if any such person or persons shall refuse to pay said Selectmen, or the person they shall appoint in manner as aforesaid, the Treasurer of the town of Boston is hereby empowered to prosecute any person or persons for said damages, before any one of his Majesty's Justices of the Peace in said county of Suffolk, who is hereby empowered to hear and determine the same; provided the double damages do not exceed *Forty Shillings*; if more, then to be recovered in any court proper to try the same; and upon conviction, to give judgment for double damages and for costs of prosecution, and award execution accordingly. And if any person or persons, sentenced to pay the aforesaid fine of *Twenty Pounds* and costs, shall refuse to pay the same, he or they shall be punished for the offence by being imprisoned not exceeding six months, or by whipping not exceeding twenty stripes.

And be it further enacted, That the Selectmen of the town of Boston for the time being, be, and they are hereby empowered to take down or remove any post or sign thereon in any street, lanes, alleys or passage ways in said town, or that now are or hereafter may be fixed, or that adjoin to any dwelling-house or building, in case they shall judge any such post or sign tends to intercept or anyways lessen the light in said lamp; or said Selectmen may direct and order the owner of such posts or signs to take down and remove the same; and if such owner or owners shall refuse so to do for the space of forty-eight hours after such order or notice given, he, she or they shall forfeit and pay the sum of *Six Shillings*, for every twenty-four hours the same shall remain standing or fixed to any building:

And

And be it further enacted, That the fines and forfeitures arising by the breaches of this Act, shall be applied to the uses following, that is to say, one moiety or half part thereof for the purchasing, repairing, supplying and maintaining the lamps, the other moiety to the person who shall inform and prosecute for the same.

Provided always, That the owners of any lamps placed or set up in said town at their own private expense, may at any time take down or remove the same, or extinguish the light thereof, any thing in this Act notwithstanding.

And whereas the freeholders and other inhabitants of the town of Boston, at their legal and regular meeting on the eleventh day of May last, voted that a sufficient number of lamps should be set up and fixed in said town for enlightening the same in manner as aforesaid :

Be it further enacted, That said inhabitants, at any legal town meeting, may make such provision for the supporting and maintaining said lamps and lights, and other necessary charges attending the same, as they shall judge best, by raising such a sum of money yearly by a tax laid on the inhabitants, as may by them be thought necessary for that purpose.

An ACT for regulating Hackney Carriages in the Town of Boston, and to repeal an Act heretofore made for that Purpose.

1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That no person or persons shall be permitted to set up or employ any coach, chariot, coachee or other carriage, in the town of Bos-

H
ton,

ton, for the purpose of conveying persons for hire, until the owner thereof shall obtain a license for that purpose, in writing, from the major part of the Selectmen of said town, which license shall be and remain in full force for one year from the date of it, unless sooner revoked or annulled by said Selectmen, or a major part of them ; and the said Selectmen are hereby authorized to grant licenses for such number of hackney coaches and carriages, and to make such rules and regulations for the standing of said carriages in the different streets of said town, as they shall judge proper, and the same to change and vary as occasion may require.

2. *And be it further enacted*, That the Selectmen of said town be, and they are hereby authorized and directed to cause all such hackney carriages to be numbered and registered in a book to be kept by the Town-Clerk for that purpose, and the number of each carriage shall be fixed upon the same, in such conspicuous place or places as the said Selectmen shall direct ; and the fees for each license, to be paid by the person receiving the same, shall be *One Dollar*.

3. *And be it further enacted*, That any person who shall set up or use any hackney carriage for the purpose aforesaid, without having obtained a license from the said Selectmen, or who, having obtained such license, shall continue to keep and use such carriage after the same license shall be revoked, annulled, or become void, according to this Act, shall forfeit and pay for every time such carriage shall be used, a sum not exceeding *Four Dollars*. And every such hackney carriage, that shall be found standing or plying in any street or highway, contrary to the regulations of the said Selectmen, or without its number painted on it as aforesaid, or after the license therefor shall have

have been revoked or annulled by the said Selectmen, or expired by this Act, and before the same shall have been renewed, shall be considered as an unlicensed carriage, and the owner of the same shall be subjected to the like forfeiture as in the case of an unlicensed carriage, for every such offence.

4. *And be it further enacted*, That the said Selectmen be, and they hereby are authorized and empowered to revoke and annul any license by them given as aforesaid, at any time they may think proper, for the breach of any rules and regulations by them prescribed, or for any gross misbehaviour of the driver, in driving, in abusive language, or otherwise ; complaint having been previously made to them and they having heard the parties, or the owner, after reasonable notice, making default of appearance to answer thereto.

5. *And be it further enacted*, That the person in whose name a license is taken out for a hackney carriage, as aforesaid, shall, for all the purposes of this Act, be considered as the owner of the same, and liable to all forfeitures and penalties herein contained, unless, upon the sale of his carriage, notice be given thereof and the license delivered up to the Selectmen; and the publications of the rules and regulations of said Selectmen, and of the annulling and revoking any license as aforesaid, in the newspaper printed by the printer for the Commonwealth for the time being, shall be deemed and taken, to all intents and purposes, as sufficient notice of the same, to all such owners of carriages as aforesaid.

6. *And be it further enacted*, That a major part of the Selectmen be authorized and empowered to make such rules and regulations, establishing the rates and
prices

prices to be paid for the carriage and conveyance of persons in said hackney coaches, within the limits of the town of Boston, as they may from time to time judge reasonable, regard being had to the time and distance. And if any owner or driver of a hackney carriage shall demand and extort, from any person or persons, a sum beyond the rates which may thus be established by the said Selectmen, the license of such carriage, upon complaint made to the Selectmen as aforesaid, after a due hearing, may be forfeited and revoked, and the owner shall be further liable to refund the sum thus received and extorted to the party grieved. And all the penalties and forfeitures aforesaid shall be recovered in an action on the case, before any Justice of the Peace of the county of Suffolk, to the use of the person who shall sue for the same.

7. *And be it further enacted*, That an Act for regulating hackney carriages in the town of Boston, made and passed on the twenty-third day of February, in the year of our Lord one thousand seven hundred and ninety-six, be, and the same hereby is repealed, excepting so far as the licenses granted under the same Act, shall continue and be in force, but subject to the conditions and limitations of this Act.

[Passed November 25, 1796.]

Extract of "An Act providing for the due Observation of the Lord's Day."

"*AND be it further enacted*, That no owner or driver of any hackney carriage belonging to the town of Boston, shall drive said hackney carriage into or from said town on the Lord's day, without first

first having obtained a certificate of permission from some Justice of the Peace within said town for himself and each and every passenger by him so carried, on the pain and penalty of forfeiting his license for setting up, keeping and driving said hackney carriage, for the term of three years next after committing such offence."

[Passed March 11, 1797.]

An ACT to prevent Fraud in Fire Wood, Bark or Coal, exposed to Sale.

1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That all cord wood exposed to sale, shall be four feet long, including half of the carf; and the cord being well and close laid together, shall measure eight feet in length, four feet in width, and four feet in height.

2. *Be it further enacted,* That in each town or district in this Commonwealth, where the inhabitants shall, in town meeting legally assembled, judge and vote the same to be necessary, and wherein fire wood or bark is usually sold, the Selectmen shall annually, or as occasion may require, appoint one or more suitable persons, and conveniently situated in the town or district, to be measurers of wood and bark there exposed or brought in for sale, and shall give public notice thereof; which measurer or measurers shall be sworn to the faithful and diligent discharge of their office, and shall receive such fees or allowance for their service as the Selectmen shall appoint, to be paid by the driver of the wood or bark, and repaid by the buyer, where brought in by land, and

and by the wharfinger where brought in by water, and the measurer shall be entitled to his action therefor, accordingly.

3. *Be it further enacted*, That if any fire wood or bark brought by land into any town or district for sale, wherein such measurers shall be appointed, shall be offered for sale before the same shall be measured by such measurer, and a ticket signed by him and delivered to the driver, certifying the quantity of wood the load contains, the name of the driver, and the town in which he resides, such wood or bark shall be forfeited, two thirds to the use of the poor of the town where offered for sale, and the other third part thereof to the measurer, or any other person who shall prosecute for the same : *Provided*, That no person shall be obliged to measure any fire wood or bark, when the quantity shall be agreed on by the buyer and seller.

4. *Be it further enacted*, That if any wharfinger or carter shall cart or carry any fire wood from any wharf or landing place in any town or district, (except for the use and consumption of such wharfinger or carter) before the same shall have been measured by some measurer appointed as aforesaid, he shall forfeit and pay *One Dollar* for every load of wood so carried off ; one moiety thereof to the use of the poor of the town where the offence shall be committed, and the other moiety to any person who shall prosecute for the same,

5. *Be it further enacted*, That all baskets used in measuring charcoal, brought into any town or district for sale, shall contain two bushels, and be of the following dimensions, to wit : Nineteen inches in breadth, in every part thereof, and seventeen inches
and

and a half deep, measuring from the top of the basket to the highest part of the bottom ; and that the basket be well heaped, and also be sealed by the sealer of the town or district where the person so using the same shall usually inhabit or reside ; and every person who shall measure the charcoal offered for sale in any basket of less dimensions, or not sealed as aforesaid, shall forfeit and pay, for each offence, *Fifty Cents*, to the uses mentioned in the fourth section aforesaid ; and such basket shall be destroyed.

6. *Be it further enacted*, That the Selectmen of any town where coal is usually sold, shall have power to appoint, as occasion may require, some suitable person to seize and secure all baskets improved for measuring coal, that shall not be of the dimensions aforesaid, and sealed as aforesaid ; and to prosecute such person or persons as shall be guilty of a breach of this Act. *Provided*, That no person shall be obliged to measure charcoal, when the quantity shall be agreed on by the buyer and seller.

7. *Be it further enacted*, That all the forfeitures aforesaid may be recovered, with costs of suit, by action, bill, plaint, or information, before any court proper to try the same.

8. *Be it further enacted*, That this Act shall take effect and be in force on and after the first day of December next ; and that five Acts relating to the subject matter of this Act, one passed Anno Domini seventeen hundred and five ; another, Anno Domini seventeen hundred and ten ; another, Anno Domini seventeen hundred and fifty-nine, and continued to the first day of November next ; another Act passed Anno Domini seventeen hundred and seventy-two, and another, the eighth day of October, Anno Domini

ini seventeen hundred and seventy-nine, and continued in force, shall, on and after the said first day of December, be repealed and cease to operate ; except the two clauses in said Acts, passed Anno Domini seventeen hundred and fifty-nine, and seventeen hundred and seventy-two, which clauses relate only to the town of Boston ; and except the said Acts shall remain in force for the recovery of all forfeitures that shall accrue under the same before that time.

[Passed *March 7, 1797.*]

An ACT, in addition to an Act, entitled, “ An Act to prevent Fraud in Fire Wood, Bark or Coal, exposed to Sale,” made and passed March seventh, one thousand seven hundred and ninety-seven.

1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That all cord wood brought in by water into any town or district for sale, shall be measured by a measurer duly appointed and sworn, as directed in said Act ; and in order thereto, the wood, so brought in, shall be corded and piled by itself upon the wharf or land whereon the same shall be landed, in ranges, making up in height what shall be wanting in length ; at which time it shall be so measured, and a ticket given to the purchaser, who shall be obliged to pay the stated fees or allowance for such service, as appointed by the Selectmen.

2. *Be it further enacted,* That every wharfinger, cartee or driver, who shall cart or carry any fire wood from any wharf or landing place in any town or district, shall be furnished by the owner or seller
of

of such wood, with a ticket, certifying the quantity the load contains, and the name of the driver. And if any fire wood shall be carted or carried as aforesaid, without such ticket accompanying the same, or if any driver shall refuse to produce and shew such ticket on demand, to any measurer duly sworn as aforesaid, or his consent to have the same measured, or if such ticket shall certify a greater quantity of wood than the load contains in the opinion of the measurer aforesaid, after measuring the same, such wood shall be forfeited and seized, two thirds to the use of the poor of the town where offered for sale, and the other one third to the measurer, or whoever shall prosecute for the same : to be recovered as the other forfeitures in the said Act are directed to be recovered. *Provided nevertheless*, That nothing herein contained shall be construed to extend to any person or persons who shall transport or cart, or cause to be transported or carted, from any wharf or landing place, to his or their own dwelling-houses or stores, any cord wood, which he or they shall have purchased on such wharf or landing place, or shall have landed thereon upon his or their own account.

3. *Be it further enacted*, That the proviso in the third section, and the proviso in the sixth section in said Act, be and they hereby are repealed.

[Passed June 22, 1799.]

An ACT to provide for the Storing and safe Keeping of Gun-Powder in the Town of Boston, and to prevent Damage from the same.

1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That all gun-powder imported
I and

and landed at the port of Boston, shall be brought to and lodged in the powder-house or magazine in said town, and not elsewhere, on pain of confiscation of all powder put or kept in any other house or place ; one moiety thereof to and for the use and supply of the public store of the state, and the other moiety to the informer. *Provided nevertheless*, That it shall and may be lawful for any person to keep in his house or shop, for sale, by retail, the quantity of twenty-five pounds of gun-powder at one time, which quantity shall be kept in brass, copper, or in tin tunnels, and no otherwise, under the penalty of forfeiting all such gun-powder ; one moiety to the use of the Firewards of the town of Boston, and the other moiety to the use of him or them who shall inform of the same.

2. *And be it further enacted by the authority aforesaid*, That for all powder belonging to merchants or other private persons, put into the said magazine, there shall be paid to the use of the Commonwealth *Twenty Cents* per barrel, containing one hundred pounds weight, at the receipt thereof, and *Ten Cents* per barrel of like weight, per month, after the first month, during all the time which it shall be stored or kept therein, and *Twenty-five Cents* upon each delivery of any quantity thereof ; out of which (if there be sufficient to answer it) the charge of looking after the said house and the powder lodged there shall be defrayed. And the Governor, with the advice and consent of the Council, is hereby authorized to appoint a Keeper of the said magazine, and to give necessary instructions and orders from time to time, as they shall think fit, for regulating the keeping, turning and managing of all powder put into the said magazine for the preserving thereof. And the said Keeper shall give bond to the Treasurer of the Commonwealth,

monwealth, for the use thereof, in such sum and with such surety as to the Governor and Council shall appear proper, for the faithful discharge of the duties of his office. And the Keeper of said house shall duly attend at proper hours, to be assigned by the Governor and Council, for the receiving and delivering out of merchants' powder. And if, at any time, the payment for merchants' powder (an account whereof shall be rendered on oath) will not defray the expense of looking after the said house, so much as is wanting shall be paid out of the public treasury.

3. *And be it further enacted*, That no gun-powder shall be kept on board any ship or other vessel, lying to, or grounded at any wharf within the port of Boston; and if any gun-powder shall be found on board such ship or vessel, lying at any wharf or aground, such powder shall be liable to confiscation, and under the same penalty as if it were found lying in any house or warehouse,

4. *And be it further enacted*, That any person within the town of Boston, that shall presume to keep in his house, warehouse or other building, any powder, above what is by law allowed, shall forfeit and pay, for every half barrel, the sum of *Twenty Dollars*, and so in proportion for any greater quantity, over and above the forfeiture, and confiscation of the said powder, one moiety thereof to the use of the town, the other moiety to him or them who shall inform of the same.

5. *And be it further enacted by the authority aforesaid*, That it shall be the duty of the Firewards of the town of Boston, to prosecute for all breaches of this Act, in any court proper to try the same, and
that

that a law, made in the year one thousand seven hundred and six, for erecting a powder-house in the town of Boston ; and one Act made in the year one thousand seven hundred and fifteen ; one Act in the year one thousand seven hundred and nineteen ; and one Act made in the year one thousand seven hundred and eighty in addition to the same, be and hereby are repealed.

[Passed *June 19, 1801.*]

An ACT to regulate the Paving of Streets in the Town of Boston, and for removing Obstructions in the same.

1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That all streets shall hereafter be paved in the town of Boston, agreeable to the following regulations, viz.*

The foot path or walk, on each side of every street, shall be of the breadth of one sixth part of the width of the whole street ; and shall be laid or paved with bricks or flat stones, and secured with a beam or cut stone along the outside thereof ; and the middle or remaining four sixths of every street shall remain as a passage way for carriages of burthen or pleasure, and shall have a gutter on each side thereof, or otherwise, as the Surveyors of Highways in the said town shall determine ; and shall be paved with good and sufficient paving stones.

Provided always, That if in any street so to be paved, the sides shall not exactly range, the gutter or outside of the foot walk shall be laid out, as nearly

ly

ly in a straight line as the street will admit of. And in all squares, and other large open spaces, and in all streets, the breadth of which shall not conform to this law, the breadth of the foot walk, and the ascent and descent and the crowning of the pavement in every street shall be regulated by the Surveyors of Highways.

2. *And be it further enacted*, That where the cart-way in any public street shall be hereafter ordered to be paved, every owner of the lot or lots of ground, upon such street, shall, without delay, at his own cost, cause the foot way in front of his ground to be paved with bricks or flat stones, and supported by timber or hewn stones, and kept in repair, the same to be done under the direction of and to the approbation of the Surveyors of Highways. And if the owner or owners of such lots shall neglect to pave with bricks or flat stones, and to support the foot way, for the space of twenty days after he or the tenant of such lot, or the attorney of the said owner or owners, shall have been thereto required by any of the Surveyors of Highways; then it shall be lawful for the said Surveyors of Highways, and they are hereby enjoined and required, to pave the said foot ways with brick or flat stones, and to support and to defend the same, and to repair the same, and shall recover the whole amount thereof by action of the case to be brought by the Surveyors of Highways, before any court proper to try the same. *Provided nevertheless*, That in all cases where applications may be made for new paving of streets, any individuals who may be affected thereby may make their objections to the Selectmen, or Surveyors of Highways, who are directed to take them into consideration, while deliberating on the expediency of said application, and to pave the same at the expense of said town, wherever they shall think it expedient. *Provided also*, That where there
are

are any vacant lots of land in any such streets, the Surveyors of Highways may, at their discretion, allow the owner or owners thereof to cover the foot path with planks, which shall be removed, and the brick or flat stone pavement shall be completed whenever it may become necessary in the judgment of said Surveyors.

3. *And be it further enacted*, That the Selectmen of the said town of Boston for the time being, whenever, in their opinion, the safety and convenience of the inhabitants of said town shall require it, shall be and they hereby are empowered to lay out or widen any street, lane or alley of said town, and for that purpose to remove any building or buildings of what nature soever ; and the owner or owners of such building shall be entitled to receive compensation for the damages, which he or they may sustain by such removal, which damages shall be ascertained, determined and recovered in the way and manner pointed out in the Act of this Commonwealth, entitled, "*An Act directing the method of laying out highways.*"

4. *And be it further enacted*, That no canopy, balcony, platform of cellar-door, or step in any street, lane or alley in the town of Boston, shall project into such street more than one tenth part of the width of the street ; and in no case more than three feet ; and all cellar-doors hereafter to be made or repaired, shall be built with upright cheeks, and shall not project from the line of the house more than six inches. And if any proprietor or owner of any such canopy, balcony, platform or cellar-door, or steps, shall refuse or neglect to remove or take down the same, within five days after notice and direction given him or them by the Surveyors of Highways, or any person empowered by them to that purpose, such owner or proprietor

proprietor shall forfeit and pay the sum of *Two Dollars* for each and every day the same shall remain after the expiration of the said five days.

5. *And be it further enacted*, That no post shall be erected or set in any of the streets of the said town of Boston, except at the corners or intersection of two streets, and in such other places as the Surveyors of Highways may authorize and direct, and the said Surveyors may remove the same. And no person shall plant any tree in any street in the said town of Boston, without leave first obtained from the Surveyors of Highways, who shall have power to remove the same. And if any person shall drive any horse or cart, or any wheel-carriage of burthen or pleasure, or wheel any wheel-barrow on the foot walk of any street in said town of Boston, such person shall forfeit and pay the sum of *One Dollar* for every such offence, to be recovered by action of debt, in the name of the Surveyors of Highways, before any Justice of the Peace in the county of Suffolk. And no person shall, in future, make, erect, or have any portico or porch, any bow-window, or other window which shall project into the streets of the said town of Boston, more than one foot beyond the front of his or her house, or hang any sign, or any goods, wares or merchandize, which shall project into the street more than one foot beyond the front of his or her house or lot. And if any person shall hereafter offend against this provision, every person so offending shall forfeit and pay the sum of *One Dollar* for each and every day such portico or porch, bow-window or other window shall be continued, after notice given to him by the Surveyors of Highways, or by any person by them authorized to that purpose.

6. *And be it further enacted*, That if any person or persons shall continue to place in the street, contrary

to the meaning of this Act, any goods, wares or merchandizes, it shall be lawful for the Surveyors of Highways of the said town of Boston, or any person empowered by them, to remove such goods, wares or merchandizes, and to keep them in safe custody, and the proprietor or owner of such goods, wares or merchandize shall not have the same goods restored, until he or they shall have paid to the person or persons so removing them, all expenses of removing and storing them, and a reasonable compensation for the time so employed in their removal, as well as the fine aforesaid. And if any person shall place or pile any empty boxes, barrels, hogheads, or other convenience, capable of containing goods or merchandize, or that may have contained goods or merchandize, in any part of the streets of the said town of Boston, more than five minutes after notice given to remove the same, such person shall forfeit and pay the sum of *Two Dollars* for each and every such offence, to be recovered by action of debt by the Surveyors of Highways, before any Justice of the Peace in the said county.

7. *And be it further enacted*, That if any driver, owner, or person having the ordering or care of any cart, waggon, stage or hackney coach, stage waggon or other carriage, new or old, finished or unfinished, shall suffer the same to be and remain in any street, lane or alley of the said town, more than one hour after the same shall have first been placed there, unless by the permission of the Surveyors of Highways, every such owner, driver, or person having the care or ordering of such carriage, as aforesaid, shall forfeit and pay the sum of *One Dollar* for each and every such offence, to be recovered as above directed. *Provided nevertheless*, That no prosecution shall be commenced against any driver of any cart or waggon
coming

coming from the country, unless by the particular direction and order of the Selectmen.

8. *And be it further enacted*, That all the forfeitures and fines which may be recovered in pursuance of this Act, shall go and be distributed, one moiety thereof to the poor of the town of Boston, and the other moiety to the Surveyors of Highways.

[Passed June 22, 1799.]

An ACT empowering the Selectmen of such Towns in this Commonwealth, as are already, or may hereafter be provided with a Fire Engine or Engines, to nominate and appoint Engine Men.

WHEREAS it is of great importance to the preservation of life and property, that provision be made to extinguish fires; and the method of selecting suitable persons for the purpose of keeping in repair and working fire engines in such towns as are provided therewith, hath been productive of good consequences:

1. *Be it therefore enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That the Selectmen of such towns in this Commonwealth as are provided with a fire engine or engines, or who may in future be provided with a fire engine or engines, be and they are hereby empowered, if they shall judge it expedient, to nominate and appoint a number of suitable persons for Engine Men, as soon as may be, after the passing of this Act, and ever after in the month of January, annually, not exceeding eighteen to any one engine, which Engine Men, who may be nominated

ted and appointed in manner aforesaid, he and they are hereby authorized and empowered to meet together sometime in the month of May, annually, for the purpose of choosing a master or director of the said engine, and establishing such rules and regulations for the well ordering of the said company, as the Selectmen of such town shall judge necessary and approve; *provided* the same be not repugnant to the Constitution and laws of this Commonwealth.

2. *And be it enacted by the authority aforesaid,* That the respective companies of Engine Men, who may be nominated and appointed in pursuance of this Act, shall be held and obliged to meet together once at least in each month, and oftener, if necessary, for the purpose of examining the state of the engine to which they belong, and the appendages belonging to the same, and seeing that the said engine is in good repair, and ready to proceed on any emergency to the relief of any part of the community who may be invaded by the calamity of fire; and the said Engine Men, appointed as aforesaid, shall be held and obliged to go forward, either by night or by day, and use their best endeavours to extinguish any fire that may happen in the same town, or the vicinity thereof (under the direction of the Firewards in the same town) as shall come to their knowledge, without delay.

3. *Be it enacted by the authority aforesaid,* That the persons who may be nominated and appointed Engine Men, in pursuance of this Act, shall be and they are hereby excused from all military duty.

4. *Be it enacted by the authority aforesaid,* That if any person, who, being nominated and appointed in manner herein before directed, shall be negligent
and

and remits in the duties required of him by this Act, except sickness or any other disability shall prevent him therefrom, it shall be the duty of the Selectmen in the same town, upon sufficient evidence thereof, to strike his name from such list, and proceed to appoint another person as an Engine Man, in his room, in the same manner as they are herein before empowered to do in the month of January annually.

[Passed March 15, 1785.]

An ACT to empower the Selectmen of the Towns of Boston and Charlestown, to increase the Number of Engine Men in said Towns, and for other Purposes.

1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the Selectmen of the towns of Boston and Charlestown, be and they hereby are respectively authorized and empowered, if they shall judge it expedient, to nominate and appoint, as soon as may be after the passing of this Act, and ever after, in the month of January annually, any number, not exceeding six men to each engine, in addition to the number of men now authorized by law,*

2. *And be it further enacted, That all persons legally attached to any engine within this Commonwealth, be and they hereby are excused from being chosen or drawn to serve as Jurors in any court within this Commonwealth, in all cases, where the town, to which such Engine Men belong, shall, at a legal meeting of its inhabitants, by vote, declare the expediency of excusing such persons from serving as Jurors.*

[Passed March 4, 1801.]

An ACT for regulating Drains and Common Shores,

1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That if any person shall dig or break up the ground in any highway, street or lane, in any town, for the laying, altering, repairing, or amending of any drain or common shore, without the consent of the Selectmen of the town, signified in writing under the hand of the Town Clerk, such person shall forfeit and pay Four Dollars for each offence, to the use of the poor of the town, to be recovered, with costs of suit, in an action of debt, by the Treasurer thereof, before any disinterested Justice of the Peace in the county.*

2. *Be it further enacted, That all drains and common shores for the draining of cellars, which shall hereafter be made or repaired in any street or highway, shall be substantially done with brick or stone, or with such other materials as the Selectmen of the town shall permit, and in such manner as the said Selectmen shall direct. And when any one or more of the inhabitants of any town shall, by the consent, and under the direction aforesaid, at his or their own charge, make and lay any common shore or main drain, for the benefit of themselves and others, who may think fit to join therein, every person, who afterwards shall enter his or her particular drain into the same, or by any more remote means shall receive any benefit thereby, for the draining of their cellars or lands, shall be held to pay to the owner or owners of such common shore or main drain, a proportionable part of the charge of making or repairing the same,*

same, to be ascertained and determined by the Selectmen of the town, or a major part of them, and certified under their hands; saving always to the party aggrieved at any such determination, a right to appeal to the Court of General Sessions of the Peace.

3. *Be it further enacted*, That when any common shore or main drain shall be stopped or gone to decay, so that it shall be necessary to open the same in order to repair it or remove such stoppage, all the persons, who shall be benefited by such repairs or removal of obstructions, shall be held to pay their proportionable parts of the expenses thereof, as well those who do not, as those who do cause such repairs to be made or obstructions removed; to be ascertained and determined by the Selectmen as aforesaid, saving an appeal as aforesaid. And each person so held to pay his or her part shall have notice thereof, of the sum, and to whom to be paid; and if such person shall not pay the same within ten days after such notice, to the person appointed by the Selectmen to receive it, he or she shall be held to pay the person so appointed, double the sum mentioned in such certificate, with all costs arising upon such neglect; and such person is hereby empowered to bring an action or actions for the same accordingly.

4. *Provided always*, That the person or persons who shall have occasion to open any common shore or main drain, in order to clear and repair the same, shall, seven days at least before they begin to open the same, notify all persons interested therein, by advertising in such manner as the Selectmen may direct, that they may (if they think proper) object thereto, and lay their objections in person or writing before the Selectmen; and if the Selectmen, or the major
part

part of them, shall judge the objections reasonable, then the person or persons making the same shall not be held to pay any part of such expenses ; but if they do not make their objections as aforesaid to the Selectmen, within three days after being so notified, or if they shall deem the objections not to be sufficient, then they shall, under their hands, give liberty to the persons applying to proceed to open such common shore or main drain, and clean and repair the same ; and all interested therein shall pay their proportions as is provided in this Act.

5. *Provided also*, That nothing in this Act shall be understood or construed to affect or make void any covenants or agreements already made, or that may hereafter be made, among the proprietors of such drains or common shores,

6. *Be it further enacted*, That this Act shall take effect and be in force on and after the first day of *July* next ; and that an Act, passed Anno Domini one thousand seven hundred and nine, for regulating drains and common shores, and another Act, passed Anno Domini one thousand seven hundred and sixty-three, in addition thereto, and continued in force to the first day of *November* next, be repealed on and after the first day of *July*, except as to the enforcing payment of such forfeitures as may before that time accrue by virtue thereof.

[Passed *February* 20, 1797.]

An ACT for preventing Common Nuisances.

1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the Selectmen of Boston, Salem, Newbury-Port and Charlestown, respectively, and of every other town in this Commonwealth, where the Selectmen thereof, together with any two Justices of the Peace in the same county, shall judge such regulation to be necessary, shall from time to time, as occasion shall be, assign some certain places for the exercising of any of the trades or employments of killing creatures for meat, distilling of spirits, trying of tallow or oil, currying of leather, and making earthen ware, and forbid and restrain the exercise of either of them in other places not so approved and allowed; and all assignments of such houses or places by Selectmen, with the assent of two or more Justices, for the exercise of any of the occupations aforesaid, shall be entered in the town book where such Selectmen respectively belong; and also made known by having notifications thereof posted up in some public places in the same town.*

2. *And be it further enacted, That when any house assigned for the exercising of either of the aforesaid trades or employments becomes a nuisance, by reason of offensive and ill stench proceeding from the same, or becomes otherways hurtful or dangerous to the neighbourhood or travellers, it shall and may be lawful to and for the Court of General Sessions of the Peace, within the county, to cause inquiry to be made thereinto by a jury, and to suppress such nuisance, by prohibiting and restraining the further use thereof for the exercise of either of the aforesaid trades*

trades or employments, under a fine not exceeding *Three Pounds* a month, to the use of the poor of the town; or by causing such nuisance to be removed or prevented, as the said Justices in sessions, in their discretion, shall think expedient and necessary.

3. *And be it further enacted*, That if any distiller, tallow chandler, manufacturer of oil, currier, butcher or potter, shall make use of any house or place, other than such as are or may be assigned and permitted in consequence of this Act, for the exercise of the employments aforesaid, or any of them, the person so offending shall forfeit and pay a fine of *Five Pounds*, one half thereof for the use of this Commonwealth, and the other half part for the use of him or them that shall prosecute and sue therefor, by action of debt, in the Court of Common Pleas; and if convicted on the presentment of a Grand Jury, in the Court of Sessions or Supreme Judicial Court, the whole penalty shall enure to the use of the Commonwealth; and in either case the offender shall also enter into recognizance, in such sum as the same Court shall order, not to improve such building for either of the said purposes for the term of three years then next; and in default of entering into such recognizance, to be committed to the common gaol; or such building may be taken down by the order of the same Court, as being a common nuisance, and the materials, or such part of them as may be necessary, sold at public auction, to defray the expenses and charges; and in case the materials shall be insufficient, the residue of the charges to be levied by distress and sale of the offender's goods and chattels.

4. *And be it further enacted, by the authority aforesaid*, That all fences or buildings set up and erected
on

on lands now used and improved as public landing places or such as may be hereafter laid out and appropriated to that use, without lawful permission therefor, shall be esteemed nuisances, and may be abated as such.

[Passed *June 7, 1785.*]

An ACT in addition to an Act, entitled, “An Act to prevent Common Nuisances.”

1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That when any house, assigned for the exercising of either of the trades or employments mentioned in the Act aforesaid, becomes a nuisance, by reason of offensive and ill stench proceeding from the same, or becomes otherwise hurtful or dangerous to the neighbourhood or travellers, it shall be lawful for any person or persons, who may be aggrieved thereby, to give notice thereof to the proprietor or occupant of such house, so deemed to be a nuisance ; and if the proprietor or occupant shall not forthwith remove the same nuisance, and if, upon trial as herein after provided, the same shall be considered and deemed a nuisance, the owner, proprietor or occupant of such house, shall forfeit and pay the sum of *Twenty Dollars*, for each and every month which the said nuisance shall continue, after such notice as aforesaid, to be recovered by action of the case, by any person who shall first sue for the same ; and in such action it shall be lawful for the defendant to tender the general issue, and give any special matter in evidence ; and if, upon such trial,

it shall appear to the jury who shall try the same cause, that the said house so complained of is not a nuisance, it shall be their duty to acquit the defendant, and he shall be entitled to his costs.

2. *Be it further enacted*, That any person or persons who may be injured by any such nuisance, either in his comfort or the enjoyment of his estate, may have and maintain his special action on the case, for the injury and damage which he or they may sustain by reason of such nuisance ; in which action it shall and may be lawful for the defendant to plead the general issue, and give any special matter in evidence.

[Passed *March* 4, 1800.]

I N D E X.

B.	Page		Page
BAKE-Houses regulated,	53	Cord-Wood—to prevent	
Bark offered for sale to be		fraud therein, - -	61, 64
duly measured, - -	61, 64	Cows—assessment relative	
Bells, for funerals, how to		to them, - -	21
be tolled, - -	24	disorderly, restric-	
Bells, to be fastened to		tions upon, - -	28
horses or carriages, when		Cryers common, regulated,	27
the snow is upon the		Curriers of leather, regulated,	79
streets, - -	19	D.	
Board of Health regula-		Distil-houses, regulated,	79
tions, - - -	36	Dogs—regulating them,	28
Bonfires in streets forbidden,	52	Drains or common Sew-	
Brick kilns regulated, -	9	ers, - - -	4 & 76
Buildings regulated, -	46	Drags—for timber, &c.	
materials and rub-		regulated, - -	15
bish in streets, -	4	E.	
Bulls—town to provide,	20	Engine Men—choice of,	73
Burying places regulated,	23, 37	their duties and privi-	
Butchers, and slaughter-		leges, - - -	74, 75
houses, - - -	79	F.	
C.		Fire-works forbidden, -	9
Carriages, how to be driven,	18	Fire, not to be made in the	
Carts and their loads regu-		open air, - - -	10
lated, - - -	15	on board vessels regu-	
Rules for their stands,	17	lated, - - -	10
Charcoal baskets—to be		not to be carried open	
measured, - - -	63	or uncovered, - -	49
Chimneys—defective to be		Fire, to secure the town	
viewed, - - -	12	from damage by, - -	46
to be regularly swept,	13	Fines, how appropriated,	32
Sweepers to be li-		Fish, sale of regulated, -	36
censed, - - -	13	Foot-ball, in streets forbidden,	8
Chocolate mills regulated,	50	Forestalling—forbidden,	29
Clerks of the Market, how		Funerals—regulated, -	23
chosen, - - -	32	Furnaces—regulated, -	9
Common, to prevent nui-		G.	
sances therein, - -	11	Galloping horses in the	
Coopers, not to burn their		streets forbidden, -	19
casks but in a sufficient		Gaming in the streets for-	
chimney, - - -	9	bidden, - - -	8
		Guns	

I N D E X.

	Page		Page
Guns not to be fired in the streets, - - -	8	Pumps and wells to be kept in repair, - - -	26
Gun-Powder, storage of	45, 65	R.	
transposition of	44	Regulations of the Board of Health, - - -	36
H.		Riggers' lofts, regulated, - - -	51
Hackney Carriages regulated, - - -	57	S.	
Hay-Weigher, how chosen, - - -	33	Sail lofts, regulated, - - -	51
Hogs and hog-sties—regulated, - - -	36	Segars lighted in streets forbidden, - - -	49
Horses not to be galloped in the streets, - - -	71	Sleds, how to be drove, &c. See carts.	
nor rode to wash or water on the Common, on the Lord's day, - - -	20	Slaughter-houses, regulated, - - -	79
how to be driven on the Lord's-day, - - -	20	Snow-balls not to be thrown in the streets, - - -	8
not to go at large, - - -	19	Snow and ice, not to be heaped in the streets, - - -	6
Hucksters regulated, - - -	28	Squibs, &c. in streets forbidden, - - -	9
L.		Stones, throwing of—forbidden, - - -	8
Lamps regulated, - - -	54	Streets—to prevent nuisances therein, - - -	3
Lands Town's, how to be leased, - - -	30	Power to improve and widen - - -	70
Lime kilns, regulated, - - -	9	obstructions therein to remove, - - -	71
Livery stables, regulated, - - -	37, 51	T.	
M.		Tallow-Chandlers, regulated, - - -	79
Manure, loads regulated, - - -	30	Tan-pits, not to be uncovered, - - -	24
Money matters, how acted upon, - - -	31	Tar-kettles—how to be secured, - - -	48
N.		Town work—how to be engaged, - - -	31
Necessaries, regulated, - - -	25, 38	Trucks and their loads regulated, - - -	15
Nuisances common, to prevent, - - -	79	rules for their stands, - - -	17
arising from rubbish in streets, - - -	5	how to be driven, - - -	18
O.		W.	
Officers appointed by the Selectmen, - - -	32	Wells not to be left uncovered, - - -	24
Oyster-men, regulated, - - -	6, 36	Wood not to be left in the streets, - - -	7
P.		Wood—to prevent fraud therein, - - -	61—51
Pageantry in streets forbidden, - - -	51		
Paving of streets regulated, - - -	68		
Police Officers, how chosen, and duty, - - -	33		
Porters funeral, regulated, - - -	23		
Poor, Act respecting them, - - -	40		

Med. Hist.

WZ

270

B 7486

1801

C.1

